

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

DENNIS C. KELLY,

Plaintiff,

-v-

HANDY &amp; HARMAN et al.,

Defendants.

**USDS SDNY**  
**DOCUMENT**  
**ELECTRONICALLY FILED**  
**DOC #:** \_\_\_\_\_  
**DATE FILED:** \_\_\_\_\_

Case No. 08-CV-163 (KMK)

ORDER

KENNETH M. KARAS, District Judge:

On June 10, 2008, the Parties appeared before the Court for a conference to resolve outstanding discovery issues outlined in the Parties' respective letters dated May 16, 2008, and May 23, 2008. The Court, satisfied that Plaintiff has demonstrated "a reasonable chance that the requested discovery will satisfy the good cause requirement" for the consideration of evidence outside the administrative record, *see Trussel v. CIGNA Life Ins. Co. of N.Y.*, No. 07-CV-926510, 2008 WL 926510, at \*2 (S.D.N.Y. Apr. 4, 2008) (internal quotation marks omitted), finds that Plaintiff is entitled to the following additional discovery:

Depositions of Louis Klein and Garen Smith, which are limited in time to four hours each and in scope to their compensation, their roles in the company and as plan administrators, what they reviewed in reaching their respective determinations on Plaintiff's claim for benefits, and inquiries as to whether they had conflicts of interest in their roles as plan administrators.

All minutes of any meeting of the Board of Directors or any Committee of Handy & Harman or WHX that pertain to Plaintiff.

SO ORDERED.

Dated: June 11, 2008  
 White Plains, New York



\_\_\_\_\_  
 KENNETH M. KARAS  
 UNITED STATES DISTRICT JUDGE